

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

EVATRUS DERJUAN MOSS

VS.
DIRECTOR, TDCJ-CID

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CIVIL ACTION NO. 9:18cv149

MEMORANDUM OPINION AND ORDER REGARDING VENUE

Evatrus Derjuan Moss, an inmate confined in the Polunsky Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

Petitioner states that in 1995, he was convicted of capital murder in the 318th District Court of Harris County, Texas. He was sentenced to life imprisonment.

Petitioner filed this petition for writ of habeas corpus in the district in which he is currently confined. Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the district in which he was convicted or the district in which he is incarcerated. Section 2241(d) further provides that the district court in the exercise of its discretion may transfer the action to the other district in the furtherance of justice.

Petitioner was convicted in Harris County, Texas. Pursuant to 28 U.S.C. § 124, Harris County is in the Houston Division of the Southern District of Texas. As all records and witnesses involving this action may be located in the Southern District, the transfer of this action to such district would further justice.

For the reasons set forth above, it is **ORDERED** that this case is **TRANSFERRED** to the Houston Division of the United States District Court for the Southern District of Texas.

SIGNED this 4th day of September, 2018.



Zack Hawthorn
United States Magistrate Judge